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Appearing *Pro Hac Vice*

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9 Attorneys for Defendant
10 XPO LAST MILE, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 RAMON GARCIA, an individual;
15 VICTOR RAMIREZ, an individual;
ADRIAN VALENTE, an individual;
16 MARIO PINON, an individual;
MYNOR CABRERA, an individual;
17 Individually, and on Behalf of All Similarly
Situated Individuals,

18 Plaintiffs,

19 v.

20 MACY'S WEST STORES, INC.,
21 an Ohio corporation; JOSEPH ELETTO
TRANSFER, INC., a New York corporation;
22 XPO LOGISTICS, LLC, an Ohio corporation;
and DOES 1 through 25, Inclusive,

23 Defendants.
24

Case No. 3:16-cv-04440-WHO

CLASS ACTION

**DEFENDANT XPO LAST MILE, INC.'S
NOTICE OF SUBSTITUTION OF
COUNSEL; ORDER**

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1 TO THE COURT AND ALL PARTIES AND THEIR COUNSEL OF RECORD:

2 NOTICE IS HEREBY GIVEN that, subject to approval by the Court pursuant to Civil
3 Local Rule 11-5, Defendant XPO Last Mile, Inc. ("XPO") hereby moves the Court for an order
4 allowing the law firm of Ogletree, Deakins, Nash, Smoak & Stewart, P.C., including James Clay
5 Rollins, Susan Tianyan Ye and Becki Diana Graham to WITHDRAW as attorneys for XPO in
6 this action and SUBSTITUTE Jackson Lewis P.C. as the law firm representing XPO in this
7 action. Jeffrey H. Newhouse continues to represent XPO in this action as the lead attorney of
8 record, and was previously admitted *pro hac vice* (ECF No. 27). David S. Bradshaw of Jackson
9 Lewis, P.C., an attorney who is a member of the bar of this Court in good standing and who
10 maintains an office within the State of California, has agreed to serve as California counsel. The
11 new contact information for Mr. Newhouse is as follows:

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17 Mr. Bradshaw's contact information is as follows:

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22 All parties consent to the requested substitution as follows:

23 I consent to the above substitution.

24 DATED: April 11, 2017

XPO LAST MILE, INC.

25 By: /s/ Benjamin Faino
26 Benjamin Faino

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1 ///

2 I consent to being substituted.

3 DATED: April 11, 2017

OGLETREE, DEAKINS, NASH
SMOAK & STEWART, P.C.

4
5 By: /s/ Becki Diana Graham
6 Becki Diana Graham

7 I consent to the above substitution.

8 DATED: April 11, 2017

JACKSON LEWIS P.C.

9
10 By: /s/ Jeffrey H. Newhouse
11 Jeffrey H. Newhouse

12 **LOCAL RULE 5-1 ATTESTATION**

13 Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that the concurrence in the filing of
14 this document has been obtained from each of the other signatories shown above.

15 Dated: April 11, 2017

JACKSON LEWIS P.C.

16
17 By: /s/ Jeffrey H. Newhouse
18 Jeffrey H. Newhouse

19 **ORDER**

20 The substitution of counsel is hereby approved and so ORDERED.

21 Dated: April 12, 2017

22 
23 Hon. William H. Orrick
24 United States District Judge